

occur due to propagation time differences and which cannot be ignored with respect to frame length. If sequence numbers do not match, a message indicating this is transmitted from the receiving end (e.g., terminal, for instance) to the transmitting end (e.g., base station, for instance), and the network adjusts the transmission timing of both base stations. The receiving end may also buffer data that arrives first, until a matching frame arrives. By this means, the receiving end is able to perform decoding processing on frames in a substantially synchronous state.

By contrast to St-Pierre's disclosure, the claimed invention relates to a diversity system for high speed downlink packet communication, and, although a similar condition to an SHO state applies, only one base station selected from a plurality of base stations transmits packets. Unlike St-Pierre, the state in which a terminal operating in SHO receives signals from two communication paths in a substantially synchronous state does not apply to the claimed invention. With the claimed invention, in high-speed downlink packet communications, base stations are given separate scheduling functions. When the base station to which packets are transmitted changes in high speed, packets may be received at the terminal in the wrong order. The claimed invention is directed to solving this problem.

To solve this problem, the claimed invention provides, in an uplink control signal from a terminal, information that allows a base station to manage the transmission order of packets (i.e., a check signal representing the packet number or the correct reception of a packet), and each base station manages this information. In this manner, the claimed invention provides synchronization between a plurality of base stations.

In view of the above-noted differences between St-Pierre and the claimed invention, the "timing adjustment message," disclosed in St-Pierre (col.8, lines 37-46) bears no relationship to the "base station selection information," "packet number," and "check signal" recited in claim 12 of the present application.

St-Pierre furthermore does not disclose or mention features and problems in relation to an automatic repeat request (ARQ), which is usually employed in packet communication. St-Pierre therefore does not disclose or suggest the above-noted feature of employing a "check signal that represents correct reception of packet."

St-Pierre mentions that a plurality of base stations each perform a timing adjustment frame transmission in SHO (see St-Pierre col. 8, lines 46-62). St-Pierre does not mention that a single base station, selected based on base station selection

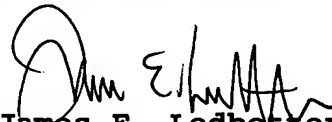
information, transmits packets. It is submitted that the claimed invention is therefore novel and patentable over St-Pierre.

In accordance with the above points, the Applicants respectfully submit that St-Pierre does not anticipate the subject matter defined by claim 12. Independent claims 19, 20, and 22 similarly recite the above-discussed features distinguishing apparatus claim 12 from St-Pierre, although claim 22 does so with respect to a method. Therefore, allowance of claims 12, 19, 20, and 22 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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